



JOHN A. OLSZEWSKI, JR.
County Executive

DAVID V. LYKENS, *Director*
Department of Environmental Protection
and Sustainability

Backyard Trees **Application and Agreement**

Background:

Baltimore County's Department of Environmental Protection and Sustainability (EPS) plants trees as a cost-effective best management practice to manage urban stormwater runoff. EPS has several programs available to citizens, including a rural Turf to Tree program for reforestations of approximately an acre or larger and managed grounds/street tree plantings for landscape style trees spaced approximately 30' apart. The Backyard Trees Program (the "Program") is available for Baltimore County residents who would like a reforestation planting on their property, but do not have an acre or more to plant. Under the Program, the County will plant 20 to 145 native deciduous trees (no evergreens) spaced 15' apart. Trees are planted in staggered rows and equipped with deer protection (5' tube and 2" x 2" x 6' stake). The County's Waterway Improvement Fund is financing the Program as the plantings are credited towards the County's federally mandated Chesapeake Bay Restoration Program. Property owners will be responsible for all tree maintenance, including removing stakes and shelters. EPS will provide homeowners with guidance on how to successfully maintain their planting. Property owners will also be responsible for reporting tree survivability and growth to EPS on a triennial basis for the first nine years after planting. EPS will send emails or letters when it is time to report tree survival.

The intent of this program is to extend and create wooded areas throughout the County. Trees cannot be used as screens or to line your property, and trees will not be planted in clusters less than 20. The majority of each planting must be canopy trees. Trees for each planting will be created based on site conditions and tree availability. EPS staff will consider input from the property owner. A site specific planting list will be made for your property and EPS will strive to obtain trees which are at least 3' in height, but substitutions may be necessary based on availability. A list of trees available under this program is available on our website at: <https://www.baltimorecountymd.gov/freetrees>.

To apply for a planting, read the following instructions, fill out the application, and send the application along with an aerial with the planting location identified to forestmanagement@baltimorecountymd.gov or 111 W. Chesapeake Ave, Towson, MD 21204. Envelopes should be made out to EPS, Forest Management: Backyard Trees. The subject line for any email correspondence should include Backyard Trees. For aerials with property lines, please use Baltimore County's My Neighborhood at: <https://bcgis.baltimorecountymd.gov/myneighborhood/>. An example is provided at the end of the application. Google map aerials will also be accepted. Please email or call 410-887-1369 with any questions. The owner name must match the owner in the land records. The Deed Reference (liber/folio) can be found on your property's deed or on My Neighborhood by first selecting the property and then selecting More Info at the bottom of the pop-up screen.

Application Packets are due by 06/12/2020. To ensure that residents meet this deadline, questions and other inquiries should be sent to EPS no later than 06/05/2020.

Applications will be reviewed from June 1st to June 19th. This program is limited and EPS reserves the ability to turn down applicants if the request is outside of the scope of the program or the project cannot be aggregated with other properties nearby. You will be notified by June 22nd if your property qualifies for a site visit. Site visits will be conducted by Forest Management staff from June 8th through July 25th. EPS staff will only conduct site visits from Monday through Friday from 9:00am to 3:00pm. Site visits will not



JOHN A. OLSZEWSKI, JR.
County Executive

DAVID V. LYKENS, *Director*
Department of Environmental Protection
and Sustainability

occur on weekends or holidays. For efficiency, appointments for specific times may not be requested. If your property qualifies for a tree planting, the County will send you a tree plan and entry agreement to sign. All entry agreements must be signed and mailed back to the County by August 7th. Property Owners may back out of the program at any time prior to the trees being planted. Trees will be planted in October, November, or December of 2020.

Residential Backyard Trees Planting Program Application and Agreement

Application Instructions:

Read the terms and conditions of the program below. If you have read and understand the description, terms, and conditions of the Backyard Trees Planting Program (the "Program"), sign the form below to give your consent to agree to participate in the Program. Forms, along with aerials identifying the planting area, should be emailed or mailed to the County by May, 29th, 2020.

Email: forestmanagement@baltimorecountymd.gov with the subject line: Last Name Backyard Trees Planting Program Application.

Mailing Address: 111 W. Chesapeake Ave, Towson, MD 21204. Envelopes should be addressed to EPS, Forest Management: Backyard Trees Planting Program.

By signing this document you agree to:

1. I understand the restrictions regarding installation of the trees provided under the Program as follows:
 - a) Trees shall be located as set forth on the tree plan created by the County as a condition of acceptance in the Program.
 - b) Trees may not be planted in Utility right-of-ways such as, but not limited to water, sewer, natural, gas, or oil pipelines.
 - c) Trees may not be planted in already established woody areas.
 - d) Trees may not be planted over septic or on septic reserves.
 - e) Trees may not be planted within forty-five (45) feet of an overhead utility line.
 - f) I understand that there is no guarantee of the survivability of the trees provided.
 - g) I understand that trees will not be planted within 15 feet of my house or paved surfaces as roots and branches may have damaging effects.
2. I understand that I am responsible for obtaining any required approvals for planting the trees on my property from any applicable community associations in accordance with the applicable community covenants.
3. I understand that before digging, Baltimore County will take the necessary measures to locate and avoid underground lines and cables by calling Miss Utility at (800) 282-8555.
4. I hereby certify that my property contains the following personal underground pipes or wires, such as invisible fences, lighting, security system, or irrigation system and I have accurately indicated the location of such lines or pipes to the County (can be as a separate attachment):



JOHN A. OLSZEWSKI, JR.
County Executive

DAVID V. LYKENS, *Director*
Department of Environmental Protection
and Sustainability

5. I agree to indemnify, defend, and hold harmless the County from and against any and all claims, actions, damages, liability, and expenses, including any attorney's fees, relating to damage to or loss of property or personal injuries that arise from the trees planted on my property and which were not caused solely by the County's gross negligence. Nothing in this Agreement shall be construed as a waiver or relinquishment by Baltimore County of any immunities or other defenses to which the County may be entitled at law.
6. I shall execute a Right of Entry Agreement in the form attached hereto for Baltimore County and its employees and contractors to enter my property and plant the trees in accordance with the Tree Plan.
7. I give Permission to County Staff and County Contractors to enter your property for an initial site inspection and to plant the trees and install tree shelters.
8. I understand that I will not be given prior notice to site visits and site visits are not made by appointment and may occur Monday through Friday between 9:00am and 3:00pm.
9. I understand that planting dates are estimates and may be changed due to scheduling conflicts or adverse weather.
10. I agree to report tree survival and growth on a triennial basis for the first nine (9) years after the trees are planted.
11. If my property is selected for a free tree planting, I will not cut down, sell, remove, relocate, or otherwise intentionally destroy the trees planted by Baltimore County.

I, the undersigned, certify that I am the owner of the property at the address below and I have read, fully understand, and agree to be bound by the conditions for participation in the Backyard Trees Planting Program. I understand that if I fail to comply with all of these conditions as long as I own the property, I am obligated to reimburse Baltimore County, Maryland for the cost of the trees, labor, and tree materials supplied, planted or installed pursuant to this Agreement.

Property Information

Owner information must match information recorded in the land records.

Property Address: _____

Deed Reference (liber/folio): _____

Property Acreage: _____

Approximate Acreage to be Planted: _____

Description of Area to be Planted: _____

Tree Preference (EPS will consider tree preferences but tree types will be selected on site conditions and tree availability): _____



JOHN A. OLSZEWSKI, JR.
County Executive

DAVID V. LYKENS, *Director*
Department of Environmental Protection
and Sustainability

Names and Contact Information for Each Owner of the Property

Owner name must match the owner name in the land records

Printed Name

Printed Name

Telephone: _____

Telephone: _____

Email Address: _____

Email Address: _____

Signature: _____

Signature: _____

Date Signed: _____

Date Signed: _____



JOHN A. OLSZEWSKI, JR.
County Executive

DAVID V. LYKENS, *Director*
Department of Environmental Protection
and Sustainability

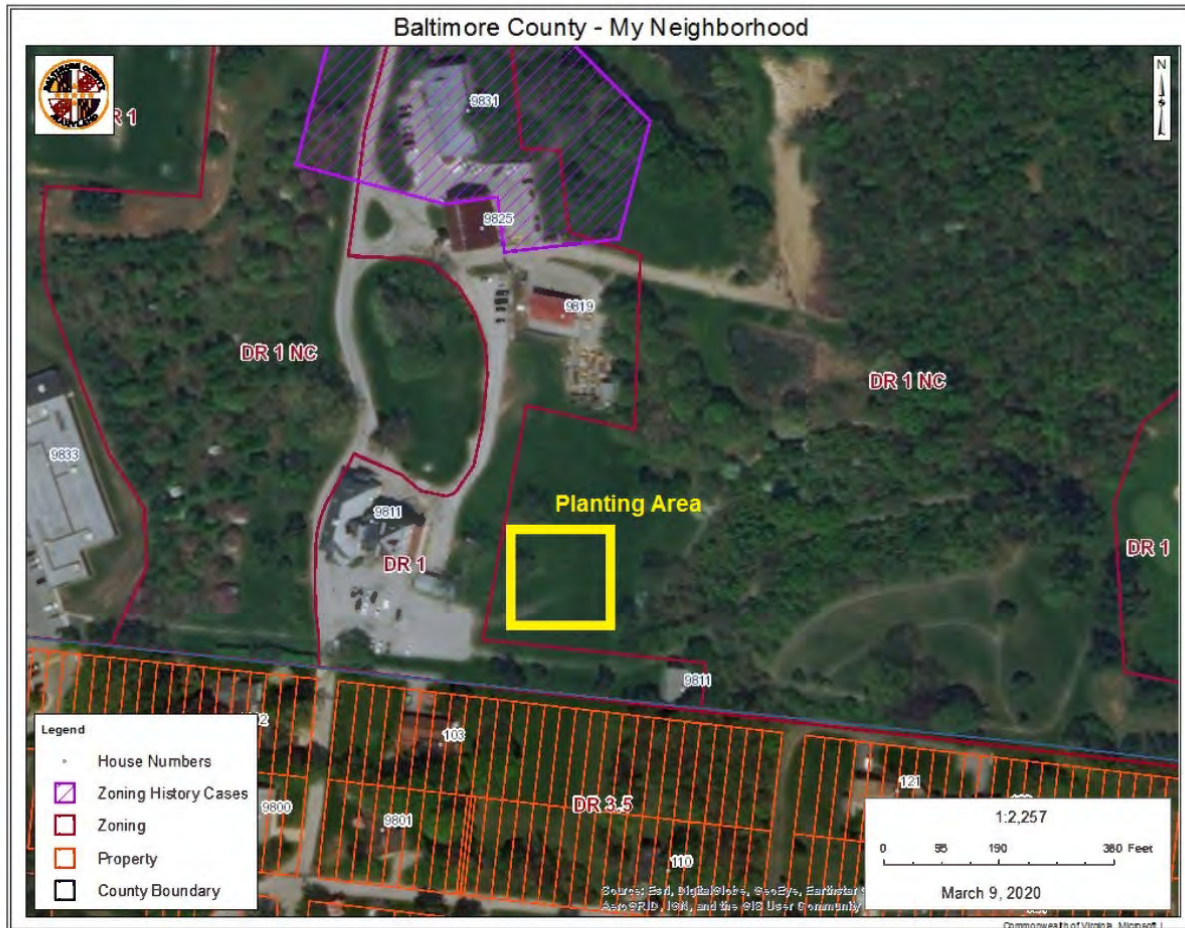


Figure 1. Baltimore County My Neighborhood Aerial